

Part B of The Individuals with Disabilities Education Act



The Individuals with Disabilities Education Act of 2004 can impact the education of a child with special needs. The IDEA has three parts: (A) General Provisions, (B) Services for School-Aged Children, (C) Early Intervention Services.

Part B of the IDEA establishes educational requirements for children with disabilities from age three to 21. Under the IDEA, there are six core principles that serve as the basis for the education of children with special needs.

- 1. Free and appropriate public education:** Regardless of disability, or severity of the disability, children have the right to a FAPE.
- 2. Evaluation and specialized instruction:** Students suspected of having a special need are entitled to an evaluation for special education services. Evaluations gather information about a child's functional, developmental and academic abilities. When possible, evaluations are tailored to the child's suspected disability or language barrier.
- 3. Individualized Education Program:** An IEP is a written plan developed to ensure a child's educational rights and needs are met. Educators and parents work together to develop an IEP, which must include:
 - How and when parents will receive updates
 - Members of the IEP team
 - Special accommodations or related services
 - Role of the education professionals
 - Requirements for any reviews and changes made to the IEP
- 4. Parent and teacher participation:** Collaboration is essential to creating the right IEP. Parents cannot be forced to participate, nor can they be

excluded from the process. It is important to know that consent to an evaluation is not the same as consent for special education services.

- 5. Least restrictive environment:** Using an LRE requires placement of children with special needs in general classrooms when possible. Removing a child with special needs from a regular classroom environment should only happen in cases of severe disability that prevent the child from receiving a satisfactory education.
- 6. Safeguards:** Safeguards are in place to maintain accountability and provide parents with certain guarantees when it comes to their children's education. Parents have the right to:
 - Copies of all educational records
 - Contest the findings of evaluations or the goals of an IEP
 - An objective hearing to resolve any disputes about their child's education

For more information about the IDEA, contact the installation's Exceptional Family Member Program office.



MilitaryOneSource.mil/EFMP

Exceptional Family Member Program support is available for military families with special needs. For more information, please contact your installation EFMP office or visit MilitaryOneSource.mil/EFMP, an official Department of Defense website.